

Introduced by Senator Cedillo

February 16, 2005

An act to add Section 1317.1a to the Health and Safety Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

SB 279, as introduced, Cedillo. Physicians and surgeons: emergency services.

Existing law provides for the licensure and regulation of health facilities by the State Department of Health Services. Existing law requires emergency services and care to be provided to any person requesting the services or care, or for whom services or care is requested, for any condition in which the person is in danger of loss of life, or serious injury or illness, at any licensed health facility licensed that maintains and operates an emergency department to provide emergency services to the public when the health facility has appropriate facilities and qualified personnel available to provide the services or care.

Existing law limits liability on the part of a licensed health facility, its employees, and other medical personnel under certain circumstances when emergency services are provided.

This bill would prohibit a licensed physician and surgeon who contracts with an organization that links hospital emergency departments that need a physician with physicians who wish to provide emergency services and care to patients from being considered to be an employee or agent of either the hospital or the organization for any purpose.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1317.1a is added to the Health and
2 Safety Code, to read:
3 1317.1a. Notwithstanding any other provision of law, a
4 licensed physician and surgeon who contracts with an
5 organization that links hospital emergency departments that need
6 a physician with physicians who wish to provide emergency
7 services and care to patients shall not be considered to be an
8 employee or agent of either the hospital or the organization for
9 any purpose.

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